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January 15, 2016

ECF

Honorable Kenneth M. Karas
United States District Court Judge
United States District Court
Southern District of New York
300 Quarropas Street
White Plains, New York 10601

Re: United States v. Constance G. Post and Wayne Charles
Case No: 08-Cr-243 (KMK)

Dear Judge Karas:

Pursuant to Your Honor's briefing schedule, on January 13, 2016 I caused to be ECF filed a post trial motion to set aside the verdict on behalf of Defendant, Wayne Charles.

Enclosed please find an Affidavit of Myriam Vazquez-Florenzan, the notary on the Exhibit C-JS-A [the Business Certificate signed by Joseph Sparano in January of 2006 (also attached)], which is the subject of my Rule 33 motion for a mistrial based on prosecutorial misconduct in the Government's mischaracterization of trial testimony and referring to the exhibit as a fabricated, phony document forged by Wayne Charles.

As the notary signature to the Affidavit attests, the Affidavit was only signed yesterday (after my submission of the motion) and received by me today. I ask that the Court receives these two documents as Exhibit A to my January 13, 2016 motion.

Your Honor's consideration as always is greatly appreciated.

Very truly yours,


Stephen R. Lewis

SRL:dr

Enclosures

cc: AUSA Andrew Dember (*By ECF*)

AUSA Daniel Filor (*By ECF*)

Howard Tanner, Esq. (*By ECF*)